

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF DELAWARE

BOEHRINGER INGELHEIM INTERNATIONAL
GmbH and BOEHRINGER INGELHEIM
PHARMACEUTICAL, INC.,

Plaintiffs and
Counterclaim Defendants,

v.

MYLAN PHARMACEUTICALS INC.,

Defendant and
Counterclaim Plaintiff.

Civil Action No.: 05-0854 (KAJ)

**DECLARATION OF SHANNON M. BLOODWORTH, ESQ. IN SUPPORT OF MYLAN
PHARMACEUTICALS INC.'S MOTION TO STRIKE PLAINTIFFS' ALLEGATIONS
CONCERNING WILLFUL INFRINGEMENT
AND TO BAR ALL DISCOVERY RELATING THERETO**

I, Shannon M. Bloodworth, declare as follows:

1. I am an associate with the law firm of Heller Ehrman LLP, 1717 Rhode Island Avenue, N.W., Washington, D.C. 20036, attorneys for Defendant and Counterclaim Plaintiff, Mylan Pharmaceuticals Inc. ("Mylan"). I make this declaration based on my personal knowledge and in support of Mylan's Brief in Support of its Motion to Strike Plaintiffs' Allegations Concerning Willful Infringement and to Bar All Discover Related Thereto.
2. Attached as Exhibit A is a true and correct copy of the transcript of the referenced hearing transcript in *TorPharm, Inc. v. FDA*, No. 03-2401 (D.D.C. Jan. 2, 2004) (J. Roberts).
3. Attached as Exhibit B is a true and correct copy of the Amended Complaint filed by Plaintiffs in *Boehringer Ingelheim International GmbH v. Barr Pharmaceuticals Inc.*, 05-CV-0700 (D.Del.) (KAJ) (D.I. 7).

3. Attached as Exhibit C is a true and correct copy of the slip opinion in *Allergan, Inc. v. Alcon, Inc.*, No. 04-968 (GMS) (D. Del. July 26, 2005).

4. Attached as Exhibit D is a true and correct copy of the referenced hearing transcript in *Ortho-McNeil Pharmaceutical, Inc. v. Mylan Laboratories Inc.*, No. 3:04-1689 (D.N.J. Apr. 18, 2005) (J. Chesler).

I declare under penalty that the foregoing is true and correct.

Executed within the United States on January 4, 2006.

A handwritten signature in black ink, reading "Shannon M. Bloodworth". The signature is stylized with a large, sweeping "S" and a long, horizontal stroke at the end.

Shannon M. Bloodworth